

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DAVID FRANCO
Plaintiff(s)

v.

CIVIL ACTION NO. 04-12159-GAO

KYTEL INT'L GROUP
Defendant(s)

JUDGMENT IN A CIVIL CASE

O'TOOLE, D.J.



Jury Verdict. This action came before the court for a trial by jury. The issues have been tried and the jury has rendered its verdict.



Decision by the Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

After a motion hearing was held by the court on 2/15/05, the defendants' motion to dismiss (no. 5) is GRANTED based on the forum selection clause in the contract in issue in this matter. The plaintiff's complaint is dismissed without prejudice to refile in the appropriate forum. The defendants' motion for leave to file reply brief (no. 15) is moot.

TONY ANASTAS,
CLERK OF COURT

Dated: 2/16/05

By Paul Lyness
Deputy Clerk